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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/620)*]

53/126. Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 52/101 of 12 December 1997,

Having considered the report of the Secretary-General[1] and that of the United Nations High Commissioner for Refugees,[2]

Recognizing the need to improve the security of refugees and to maintain the civilian and humanitarian nature of refugee camps and settlements in accordance with international laws, in particular refugee instruments, as well as human rights instruments and humanitarian laws,

Noting with appreciation the continued efforts being expended by countries of asylum in accommodating refugees,

Convinced of the necessity of strengthening the capacity within the United Nations system for the implementation of relief and assistance programmes for refugees, returnees and displaced persons,

Welcoming the ongoing process of voluntary repatriation of refugees in some parts of Africa,

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[1] A/53/328.

[2] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 12* (A/53/12).

Welcoming also decision CM/Dec.412 (LXVIII) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its sixty-eighth ordinary session, held at Ouagadougou from 4 to 7 June 1998,[3]

Welcoming further the outcome of the ministerial meeting of the Security Council on the situation in Africa, held on 24 September 1998,[4] and the attention that was given at that meeting to the issue of refugees, returnees and displaced persons in Africa,

Taking note of the memoranda of understanding signed between the Office of the United Nations High Commissioner for Refugees and the Southern African Development Community in July 1996 on refugees, returnees, displaced persons and undocumented migration in southern Africa and between the Office of the High Commissioner and the Intergovernmental Authority on Development in June 1997 on issues concerning refugees and returnees,

Recalling the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling also the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[5] and the African Charter on Human and Peoples' Rights,[6]

Recognizing the need for States to create conditions conducive both to the prevention of flows of refugees and displaced persons, primarily by addressing the root causes, and to solutions, including voluntary repatriation,

Recognizing also the positive outcome of the conflict resolution efforts carried out in the subregion by the Economic Community of West African States, in creating a conducive environment for the voluntary repatriation of refugees and displaced persons,

Emphasizing the urgent need for Governments, especially those of the countries of origin, to address the root causes of the conflicts that precipitate outflows and displacements of refugees,

Bearing in mind that the majority of refugees and displaced persons are women and children,

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa, especially in the West African and Great Lakes regions and in the Horn of Africa, remains precarious,

1. *Takes note* of the reports of the Secretary-General[1] and the United Nations High Commissioner for Refugees;[2]

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[3] See A/53/179, annex I.

[4] See S/PV.3931. For the final text, see *Official Records of the Security Council, Fifty-third Year, Plenary Meetings*, 3931st meeting.

[5] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[6] Ibid., vol. 1520, No. 26363.

2. *Notes with concern* that the declining socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa;

3. *Calls upon* all States and international organizations, within their mandates, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements;

4. *Expresses deep concern* at the serious and far-reaching consequences of large numbers of refugees and displaced persons in the receiving countries and the implications for security, long-term socio-economic development and the environment;

5. *Expresses concern* at instances where the fundamental principle of asylum is jeopardized by unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

6. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and overstretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

7. *Commends* the Governments concerned for their sacrifices in providing assistance and protection to refugees, returnees and internally displaced persons and for their efforts to promote voluntary repatriation in safety and with dignity and other durable solutions;

8. *Expresses its gratitude* to the international community, and to the Office of the United Nations High Commissioner for Refugees in particular, for the humanitarian assistance it has continued to render to refugees and displaced persons and to the countries of asylum;

9. *Welcomes* the strengthening of cooperation between the Office of the High Commissioner and the Organization of African Unity at all levels, and urges the two organizations, in conjunction with United Nations agencies, intergovernmental and non-governmental organizations, the international community and the Governments concerned, to increase efforts aimed at facilitating voluntary repatriation in safety and with dignity and at addressing the root causes of the refugee problem and working out modalities for a lasting solution;

10. *Reiterates* that the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as endorsed by the General Assembly in its resolution 50/149, continues to be a viable framework for the resolution of the refugee and humanitarian problems in that region;

11. *Calls upon* the Office of the High Commissioner and other concerned entities to intensify protection activities by, *inter alia*, supporting the efforts of African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles and providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees;

12. *Appeals* to Governments, the United Nations, intergovernmental and non-governmental organizations and the international community to create conditions to facilitate the voluntary return in safety and with dignity and the early rehabilitation and reintegration of refugees;

13. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees;

14. *Commends* the Governments of the Great Lakes and West African regions and of the Horn of Africa and the Office of the High Commissioner for their initiatives to promote voluntary repatriation in safety and with dignity within the framework of tripartite agreements;

15. *Calls upon* the Office of the High Commissioner, the Organization of African Unity, subregional organizations and all African States to continue to work closely in identifying solutions to all outstanding refugee problems;

16. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights, within their respective mandates, in the promotion and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

17. *Welcomes* the ongoing efforts undertaken by the Office of the United Nations High Commissioner for Refugees with host Governments, the United Nations, non-governmental organizations and the international community in concentrating on the environment and ecosystems of countries of asylum;

18. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner, with the cooperation and collaboration of countries hosting refugees and countries of origin, and looks forward to other programmes to assist the voluntary repatriation of all refugees in Africa;

19. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing requirements there;

20. *Urges* the international community to continue to fund the general refugee programmes of the Office of the High Commissioner, taking into account the substantially increased needs of programmes in Africa;

21. *Calls upon* Governments, United Nations agencies, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the United Nations system and, in the context of burden-sharing, to continue to provide needed resources and operational support to refugees and countries of asylum in Africa until a durable solution can be found;

22. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

23. *Requests* all Governments, intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children and displaced persons, including those with special protection needs;

24. *Calls upon* the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

25. *Calls upon* the Secretary-General, the Office of the High Commissioner and intergovernmental, regional and non-governmental organizations, in conjunction with States, to increase the capacity for coordination and delivery of humanitarian emergency assistance and disaster relief in respect of asylum, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including refugees in urban areas;

26. *Requests* the Secretary-General to submit a comprehensive report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-fourth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees: questions relating to refugees, returnees and displaced persons and humanitarian questions", and to present an oral report to the Economic and Social Council at its substantive session of 1999.

85th plenary meeting
9 December 1998